

1 JONATHAN O. PENA, ESQ.
2 CA Bar ID No. 278044
3 Peña & Bromberg, PLC
4 2440 Tulare St., Suite 320
5 Fresno, CA 93721
6 Telephone: 559-412-5390
7 Fax: 866-282-6709
8 info@jonathanpena.com
9 Attorney for Plaintiff

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAMES JOHN ROMO,) Case No. 1:21-cv-01587-EPG
Plaintiff,) STIPULATION AND ORDER FOR
vs.) EXTENSION OF TIME
KILOLO KIJAKAZI, Acting) (ECF No. 11)
Commissioner of Social Security,)
Defendant.)
-----)

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from May 2, 2022 to July 1, 2022, for Plaintiff to serve on defendant with Plaintiff's Motion for Summary Judgment. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's first request for an extension of time. Good cause exists for this extension. First, Counsel for the Plaintiff underwent major orthopedic surgery on March 17, 2022, and is dealing with post-operation pain and the secondary effects of medications; and as a

1 result, is working short periods throughout the day with significant breaks throughout. Counsel
2 will also undergo 12 weeks of physical therapy, four days a week.

3 Secondly, as this Court is well aware, Social Security case filings in federal court
4 increased due to a combination of factors including an increase in appeals council decisions and
5 an increase in hearings at the administrative levels. Then, as a result of the pandemic, shelter-in-
6 place mandates, and Court ordered Stays, there were significant delays in producing transcripts.
7 In recent months, Counsel for the Plaintiff has received a greater-than-usual number of Answers
8 and Certified Administrative Records from defendant including over 56 cases in February and
9 March of 2022.

10 For the weeks of May 2, 2022 and May 9, 2022, Counsel for Plaintiff has 20 merit briefs,
11 and several letter briefs and reply briefs. For the remainder of the month of May 2022, Counsel
12 has over 21 merit briefs currently calendared, with that number expected to grow.

13 Lastly, another attorney with the firm, Ms. Dolly Trompeter, is currently out of state due
14 to her father's medical condition and as a result, the undersigned has taken on additional matters
15 compounding the need for an additional extension.

16 Counsel for the Plaintiff does not intend to further delay this matter. Defendant does not
17 oppose the requested extension. Counsel apologizes to the Defendant and Court for any
18 inconvenience this may cause.

19
20 Respectfully submitted,

21 Dated: April 28, 2022 PENA & BROMBERG, ATTORNEYS AT LAW

22
23 By: /s/ Jonathan Omar Pena
24 JONATHAN OMAR PENA
25 Attorneys for Plaintiff

26 Dated: April 28, 2022 PHILLIP A. TALBERT
27 United States Attorney
28 PETER K. THOMPSON
Acting Regional Chief Counsel, Region IX

1 Social Security Administration
2

3 By: **/s/ Margaret Lehrkind*
4 Margaret Lehrkind
5 Special Assistant United States Attorney
6 Attorneys for Defendant
7 (*As authorized by email on April 28, 2022)
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Based on the above stipulation (ECF No. 11), IT IS ORDERED that Plaintiff shall file Plaintiff's motion for summary judgment no later than July 1, 2022. All other deadlines in the Court's scheduling order are extended accordingly.

IT IS SO ORDERED.

Dated: May 2, 2022

/s/ Eric P. Groj
UNITED STATES MAGISTRATE JUDGE